

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

Jeffrey M. Gray, et al.

v.

Case No. 08-cv-443-PB

Lisa A. Sorenson, et al.

O R D E R

On September 16, 2010, I issued an order (Doc. No. [131](#)) requiring the plaintiffs to show cause as to why partial summary judgment should not be granted with respect to: (1) any claim that is based on allegations that defendants improperly interfered with plaintiffs' right to physical custody after February 10, 2006; and (2) plaintiffs' claims for intentional and negligent interference with custodial rights (Count I), unlawful intentional harassment (Count II), false imprisonment (Count III), abduction (Count IV), and conspiracy to interfere with custodial rights (Count VII).

The plaintiffs have now responded to the show cause order. After reviewing that response, I have determined that the defendants are entitled to partial summary judgment for the

reasons set forth in my prior order.<sup>1</sup> Accordingly, I grant partial summary judgment to the defendants with respect to the above-mentioned claims. The only claims remaining in this case are plaintiffs' claims for negligent infliction of emotional distress (Count V) and intentional infliction of emotional distress (Count VI). Pursuant to this order, these counts cannot be based on any claimed interference with plaintiffs' custody rights that occurred after February 10, 2006.

As I noted in another order issued in this case on January 18, 2011 (Doc. No. 142), the parties have prolonged this case "by failing to comply with court orders and constantly shifting the issues that the court is being asked to decide." I will not tolerate further such actions by either party. Within 30 days of the issuance of this order, defendants shall file a motion for summary judgment that addresses the remaining claims. Plaintiffs shall file a responsive memorandum within 30 days. No reply memorandum shall be permitted. No continuances shall

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<sup>1</sup> Plaintiffs argue that the prior order did not take into account allegations that would support claims for conduct by the defendants after February 10, 2006 that are actionable even though they do not interfere with plaintiffs' claimed right to physical custody. I reject this argument because the complaint does not plead facts that would support a viable claim for something other than interference with physical custody rights.

be allowed. No additional pleadings are to be filed without prior approval of the court.

SO ORDERED.

/s/Paul Barbadoro  
Paul Barbadoro  
United States District Judge

May 2, 2011

cc: Jeffrey Gray, pro se  
Jeanette Gray, pro se  
Daniel Lustenberger, Esq.  
Scott Sorenson, pro se